

CITY OF MOUNTAIN VIEW PLANNING DEPARTMENT

CONDITIONAL USE PERMIT

WHAT IS A CONDITIONAL USE PERMIT (CUP)?

A Conditional Use Permit (CUP) is a discretionary approval, (not permitted as a matter of right), for particular land uses that may have unique or special impacts in a particular location. These uses are identified in the zoning ordinance as needing a "use permit" before being permitted. Special requirements or limitations may be part of the approval, depending on the nature of the case and its impacts on neighbors.

The City of Mountain View is divided into zoning districts which govern the permitted uses that owners may have on their property. Some uses are permitted, others are prohibited and others are permitted provided a CUP is obtained.

For example, in a single-family residential zoning district, (R1), a single family dwelling unit is permitted by right, but a companion unit, a church or a boarding house require a CUP. In the arterial commercial districts, (C3), office or retail uses are permitted uses, but an auto repair use requires a CUP. The City Code establishes two tests that must both be met in order to get a CUP.

WHAT ARE THE CRITERIA FOR GRANTING A CUP?

1. That the establishment or operation of the use, ie: daycare, church, automotive repair, etc., will not be harmful to adjoining properties, to the neighborhood or to the city as a whole.
2. That the use is appropriate in this location for proper Community Development.

WHAT IS THE REVIEW PROCESS FOR A CONDITIONAL USE PERMIT?

A conditional use permit is reviewed by the Zoning Administrator at a public hearing. After a complete application is submitted to the Planning Department, a public hearing date is set. Staff reviews the application prior to the hearing, (however no formal staff reports are prepared.) Notices about the request and the hearing date are mailed to all property owners within 300 feet of the property. At the hearing the applicant presents the proposal to the Zoning Administrator, and anyone else wishing to speak on the proposal can also give comments. The Zoning Administrator presents city staff comments and then makes a final decision, taking into account all of the input and all applicable city regulations.

HOW DO I APPLY FOR A CUP?

Materials needed for an CUP application submittal include those required for standard applications, ie. an application form, site plan with surrounding properties, floor plans etc., (see *Required Application Materials* handout). In addition, specific information related to the proposed use needs to be submitted, for example, description of the operation, numbers of employees, special types of equipment, etc.

WHAT KINDS OF SPECIAL REQUIREMENTS OR LIMITATIONS MIGHT BE IMPOSED?

Conditions of approval for CUP's would depend upon the project. Typical types of conditions might include:

- Limits on hours of operation
- Circulation and parking conditions
- Additional landscaping on property
- Future review of compliance with conditions
- Upgrading the property